

FOURTH DAY

(Monday, September 15, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by President Pro Tempore Beck.

The roll was called, and the following Senators were present:

Aikin	Martin
Beck	Mauritz
Brownlee	Metcalf
Chadick	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Hill	Sulak
Isbell	Vick
Kelley	Weinert
Lanning	Winfield
Lemens	York
Lovelady	

A quorum was announced present.

Rev. S. B. Culpepper, Chaplain, offered the invocation.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 11, 1941, was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Aikin.

Senator Cotten was granted leave of absence for today on account of illness in his family, on motion of Senator Vick.

Senator Moore was granted leave of absence for today on account of important business, on motion of Senator Ramsey.

Senator Van Zandt was granted leave of absence for today on account of important business, on motion of Senator Mauritz.

Senate Resolution 12

Senator Isbell offered the following resolution:

Whereas, The Honorable J. A. R. Moseley, Jr., a prominent member of the Texarkana Bar and an honored citizen of this State is now visiting in the City of Austin; and

Whereas, The said J. A. R. Moseley, Jr., is a very close friend of our

President Pro Tempore, the Honorable E. Harold Beck; therefore, be it

Resolved by the Senate of Texas, That the privileges of the floor be extended to Mr. Moseley for the day.

The resolution was read and was adopted.

Invitation Extended to Senate

The President Pro Tempore laid before the Senate and had read the following resolution adopted by the House:

(House Resolution 13)

Whereas, Next Wednesday, September 17th, has been set aside as Constitution Day; and

Whereas, It is necessary during this time of conflict of government ideas that the underlying principles of our government should receive public consideration; and

Whereas, The people of Texas and of the United States need to preserve and maintain the great principles of human freedom that are expressed in our Constitution; and

Whereas, It is the desire of this Legislature to call the attention of the citizens to the need for National and State loyalty of all citizens to the principles of freedom and justice; now, therefore, be it

Resolved, That at 11:00 o'clock on September 17th this House hold fitting services in respect to the Constitution of Texas and the United States; and, be it further

Resolved, That we extend an invitation to the Senate of Texas to meet with us in this service; and, be it further

Resolved, That the members of the Supreme Court, the Court of Civil Appeals, and the Court of Criminal Appeals of Texas be extended an invitation; and, be it further

Resolved, That the Honorable Dorsey Hardeman be extended an invitation to address this body on the history of the Constitution; and, be it further

Resolved, That the Governor of Texas, the Honorable Coke R. Stevenson, address this body on the operation of government under the Constitution of the United States.

Message from the House

A Clerk from the House was recognized by the President Pro Tempore to present the following message:

Hall of the House of Representatives,
Austin, Texas,
September 12, 1941.

Hon. E. Harold Beck, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 11, A bill to be entitled "An Act relating to marks and brands of livestock in Fayette County; requiring that each owner of any livestock mentioned in Chapter 1 of Title 121 of the Revised Civil Statutes of Texas, of 1925, shall within six (6) months after this Act takes effect have his mark and brand of such stock recorded at the office of the county clerk; and providing that such owners shall so record such marks and brands, whether heretofore recorded or not, and that after the expiration of six (6) months from the taking effect of this Act all records and marks and brands now in existence shall no longer have any force or effect and that after the expiration of six (6) months only the records made after this Act shall be effective and considered the recorder marks and brands in Fayette County; and further providing that the county clerk of said county shall publish this Act in some newspaper in general circulation in Fayette County for a period of thirty (30) days; providing for re-recording brands and marks at the end of ten-year period; and declaring an emergency."

H. B. No. 13, A bill to be entitled "An Act making it lawful to hunt wounded wild deer with one dog in Hardin County, during the open season of each year for a period of five (5) years; and declaring an emergency."

H. B. No. 14, A bill to be entitled "An Act creating a Special Road Law for Clay County, Texas, providing that said county may fund or refund the indebtedness outstanding against its Road and Bridge Fund as of August 1, 1941, by the issuance of funding bonds; providing that items of indebtedness as of said date, including notes, scrip, time warrants, funding warrants, and all other evidences of indebtedness, may be included in such

funding bonds; providing for sufficient tax levy; validating all acts of the commissioners' court and of the county officials of said county in issuing said notes, scrip or warrants; validating said notes, scrip or warrants; providing that the General Laws pertaining to roads and bridges shall be applicable to said county when not in conflict with the provisions hereof; repealing all laws and parts of laws in conflict herewith; enacting provisions incident and relating to the subject and purpose of this Act; and declaring an emergency."

H. B. No. 15, A bill to be entitled "An Act to amend Title 8, Article 199, paragraphs 15 and 59 of the Revised Civil Statutes of the State of Texas of 1925, as amended by Chapter 10, page 24, Acts of Second Called Session of Forty-third Legislature, said article providing Judicial Districts of the State, and paragraph 15 thereof defining the 15th Judicial District and determining the date and length of the term of such District Court in Grayson County, and paragraph 59 defining the 59th Judicial District and determining the date and length of term of such District Court in each of the Counties of Collin and Grayson, comprising such District, and further providing for the empaneling of a Grand Jury by each of such District Courts in Grayson County, providing for concurrent jurisdiction of each of such Districts Courts in Grayson County, providing for the transfer of cases between each of such District Courts in Grayson County, designating the District Clerk of Grayson County to be the clerk of both of such courts in Grayson County, and said amendment providing for a change in the terms and time of holding court in each of said Judicial Districts, providing for the drawing and summoning of jurors in Grayson County as a matter of expediency, providing the provisions of this Act shall be cumulative of laws governing the drawing and summoning of a jury panel in Grayson County, providing the partial unconstitutionality of this Act shall not affect the remainder thereof; and declaring an emergency."

H. B. No. 17, A bill to be entitled "An Act repealing H. B. No. 140 passed at the Second Called Session of the Forty-fifth Legislature, the same being a local game bill for Polk and Fannin Counties; and declaring an emergency."

H. B. No. 18, A bill to be entitled "An Act prohibiting the taking, trapping, or killing of raccoons and mink in Fayette County for a period of three (3) years; providing a penalty therefor; and declaring an emergency."

H. B. No. 16, A bill to be entitled "An Act repealing H. B. No. 399, passed in the Regular Session of the Forty-third Legislature, the same being a game bill for Polk and Trinity Counties; and declaring an emergency."

H. B. No. 19, A bill to be entitled "An Act prescribing the compensation and travel and other expenses for county commissioners in certain counties; prescribing the funds from which the same shall be paid; repealing all laws in conflict herewith; and declaring an emergency."

Respectfully submitted,

E. R. LINDLEY,

Chief Clerk, House of Representatives.

Pending an address to the Senate by Senator Hill on a question of personal privilege, Senator Shivers occupied the Chair temporarily.

(President Pro Tempore Beck in the Chair.)

Adjournment

On motion of Senator Kelley, the Senate, at 10:40 o'clock a. m., adjourned until 10:00 o'clock a. m. tomorrow.

FIFTH DAY

(Tuesday, September 16, 1941)

The Senate met at 10:00 o'clock a. m., pursuant to adjournment, and was called to order by Senator Shivers.

The roll was called, and the following Senators were present:

Aikin	Mauritz
Brownlee	Metcalfe
Cotten	Moffett
Fain	Ramsey
Formby	Shivers
Graves	Smith
Hazlewood	Stone
Kelley	Sulak
Lanning	Vick
Lemens	Weinert
Lovelady	Winfield
Martin	York

A quorum was announced present.

The invocation was offered by the Chaplain.

On motion of Senator Aikin and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Leaves of Absence Granted

Senator Spears was granted leave of absence for today on account of important business, on motion of Senator Aikin.

Senator Van Zandt was granted leave of absence for today on account of important business, on motion of Senator Mauritz.

Senator Beck was granted leave of absence for this morning on account of important business, on motion of Senator Ramsey.

Senator Hill was granted leave of absence for today on account of important business, on motion of Senator Cotten.

Senator Chadick was granted leave of absence for today on account of important business, on motion of Senator Formby.

Senator Isbell was granted leave of absence for today on account of important business, on motion of Senator York.

Senator Moore was granted leave of absence for today on account of important business, on motion of Senator Weinert.

Message from the House

A Clerk from the House was recognized by the Presiding Officer to present the following message:

Hall of the House of Representatives,
Austin, Texas,
September 16, 1941.

Hon. E. Harold Beck, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

H. B. No. 12, A bill to be entitled "An Act granting consent by the State to Mrs. Mamie Scherrer and husband Emil Scherrer, their heirs, executors, administrators and assigns, to file suit against the State of Texas and/or County of San Patricio and/or State Highway Department of Texas in the District Court of San Patricio County, Texas; and to impose liability upon